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OCT 1 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Washington ,D.C. 20554

RE: PR Docket NO. 92-136
Comments of the
Heart of America Radio Club Inc.

Dear Ms. Searcy:

On behalf of the Heart of America Radio Club Inc.
there is transmitted herewith an original and five (5)
copies of Comments to the above-referenced proceeding.

Should there be any questions concerning the
accompanying transmission , kindly contact the
undersigned.

Sincerely,



Lloyd W. Collins , NORJE
8210 West 57th Terrace
Merriam , Kansas 66202

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington , D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of Part 97 of the
Commission's Rules to Relax
Restrictions on the Scope of
Permissible Communications in
the Amateur Service

P.R. Docket No. 92-136

RM-7849
RM-7895
RM-7896

TO: The Commission

Comments from the Heart of America Radio Club Inc.

INTRODUCTION

The Heart of America Radio Club Inc. of Kansas City ,
Missouri , is one of the oldest organizations devoted
to the betterment of Amateur Radio west of the Mississippi
river. Since its founding , the club has been active in
all areas of public service to its community. The members
of the club are vitally interested in this proceeding and
in its potential effects on the nature of amateur radio.
The club members have devoted one regular meeting
exclusively to discussion of this proceeding as well as
discussion time on this subject on the weekly VHF net.
The consensus of those discussions are presented herein
for the Commission's consideration.

DISCUSSION OF ISSUES

1. Relaxation of rules pertaining to communications that
could be provided by other services: As proposed in the
docket , the club believes this is a good amendment to the

rules. The ability to participate in public service types of communication have been severely limited by the present rules. We have no doubt that the existing rules were well conceived when written , but they have since lost their relevance to current needs in the amateur community. Many times our club has declined the request to provide communications for worthy causes because the test of "alternate radio services" was not met. In other cases , we have agreed to help with communications for larger events where we felt alternate communication methods , although they may be available , would be wholly impractical or financially impossible for the event's sponsoring agency. In both cases , we were making a judgement which could have been within or outside of the current law depending on one's interpretation of the existing rules.

We welcome the revised wording in the proposed rules and agree with the concept that amateur radio should be able to provide communication for public events with the provision that such services not be used to replace other means of communication for activities which could be reasonably called "everyday occurrences". We would ask the Commission to consider the addition of wording in Section 97.113 (a) (4) that defines what is "on a regular basis". Our fear is that, while the intent of the rule would be to preclude the use of amateur radio to aid organizers of weekly sporting events or the like , that the rule could

be interpreted in such a way that providing communications a yearly event would be considered a "regular basis". We believe that yearly or semi-yearly events are the very kind of events the Commission and the amateur community wish to allow even if those events re-occur every year and might be considered "regular".

2. Transmissions that facilitate business affairs: The intent of the revised rules is heartily endorsed by the club. Again , the proposed revisions do not so much alter the nature of amateur radio as they bring the rules into line with the needs and realities of daily life today. The rules should be written so as to preclude communications which are for the purpose of profit for the originating operator or which are understood to profit other amateur operators who may be party to the communication. This is accomplished by the proposed rules with the appropriate exceptions for teachers and control operators at certain club stations.

We are somewhat concerned about the wording of the provision which allows trade of equipment suitable for amateur use. The proposed rules state that such activity is allowed only if not conducted on a regular basis. We strongly agree that no amateur operator should be allowed to conduct a quasi business enterprise in the equipment trade on the amateur bands. We are ,however , concerned that overly strict interpretation of this section of the

proposed rules would preclude the operation of a weekly , bi-weekly , or monthly "swap" net on the amateur bands. We believe that such nets are of service to the amateur community when conducted in a responsible manner which allows all operators to participate and notify others of equipment they may want or have for sale. We suggest the wording of section 97.113 (a) (2) be modified to allow swap nets to operate on a regular basis but still not allow an individual operator to use amateur communications to operate a quasi business enterprise in used equipment.

3. Retransmission of Other Services: The club is pleased to see the incorporation of the ability to retransmit certain types of communications from United States Government stations in the proposed rules. The retransmission of Space Shuttle communication has been a source of much good will and of untold educational value to both the amateur community and the public at large. The inclusion of the ability to re-transmit propagation information originating from United States Government stations will be of much benefit as well.

The club feels the most important change in Section 97.113.(e) is the ability to re-transmit weather information. We believe this provision will be invaluable in times of severe weather. The provision will allow amateur operators to send weather information directly into areas that may not be covered by NOAA weather

stations or which have lost service from NOAA stations due a weather related event. In a severe weather event , most if not all local sources of weather information could be damaged and unable to serve their intended roles. This proposed rule will allow the amateur service to fill the information void by retransmitting weather information from the closest NOAA station into the affected area as long as necessary during the emergency. This will be a big asset to the local emergency management agencies as well as the amateur operators working directly in the affected area.

We are uncertain about the exact meaning of a portion proposed rule. It states that permissible re-transmissions include " propagation and weather forecast information". Does this mean that only information that is a weather forecast is allowed to the exclusion of other weather data such as river stages or storm updates etc. ? The club believes these other types of weather broadcasts are as valuable and potentially life-saving as forecasts and should not be excluded from re-broadcast. We would ask the Commission to re-examine this part of the proposed rulemaking and clarify whether all weather transmissions from a United States Government station may be re-transmitted or only specific types of information are allowed. We believe the public interest is best served by allowing amateur operators to re-transmit all types of

weather information originating from a U S Government station and urge the commission to so rule as part of this proceeding.

SUMMARY

The Heart of America Radio Club Inc. is solidly in favor of revising the rules , specifically Section 97.113 , to allow some types of communication which are not presently permitted. We believe the direction taken in the proposed rulemaking , that of allowing some types of communication which only incidentally benefit the business interests of some party while preserving the non-commercial nature of Amateur Radio is the correct one for the times in which we live. We are most pleased to see the rules revised in such a way that allows us to be of more service to our community during public events and in times of emergency.

Our suggestions for minor changes in the structure of the revised rules were developed after much discussion of the possible complications that might arise as we use the new rules to better serve our communities. These suggestions are respectfully submitted for your consideration. They are:

1. More clearly define what the Commission would consider a "regular basis" as it relates to providing communication for public events.
2. Allow the existence of "swap" nets while still not letting an individual operator run a used equipment quasi business on the air

3. Provide for re-transmission of all types of weather information from U S Government stations when such transmissions are part of other amateur operations such as emergency communications.

The Club believes the proposed rules with the suggested minor modifications will be of value to the Amateur Radio community , but more importantly , will be in the best interest of the Citizens of the United States.

Respectfully Submitted,

The Heart of America Radio Club Inc

By: 

Lloyd W. Collins NQRJE
Chm. Regulatory Affairs Committee

Reply to:

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